

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RECEIVED
U.S. District Court
District of Massachusetts
Date 11/12/04
By M.P.
Deputy Clerk

ARTHUR MANDROS,

Plaintiff,

v.

BARLETTA ENGINEERING CORP.

Defendant

C.A. 04-11999-REK

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(d)

I. INTRODUCTION

The following Joint Statement is submitted by the parties in this case pursuant to Local Rule 16.1 (D). This Joint Statement includes: (1) a discovery plan and schedule; and (2) a proposed schedule for the filing of motions. While the parties agree on the proposed schedule set forth in this Joint Statement, they understand that this proposed schedule shall be considered by the Court as advisory only. The purpose of this Joint Statement is to advise the Court of the parties' best estimates as to the time they will require to accomplish the specified pre-trial steps.

In addition Certifications by the parties and their respective counsel, affirming that each party and its counsel have conferred with respect to establishing a budget for the cost of conducting the various courses of litigation and considering the resolution of this litigation through the use of an appropriate alternative dispute resolution program, will be filed with the Court by each party prior to the Scheduling Conference.

II. DISCOVERY PLAN

The parties jointly submit the following proposed schedule for discovery in this matter:

1. Automatic Disclosures pursuant to Federal Rule of Civil 26(a)(1) shall be served by December 16, 2004.
2. The parties do not believe that discovery shall be conducted in phases or limited to particular issues.
3. The parties believe that discovery should be conducted pursuant to the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of Massachusetts without modification.
4. The parties do not currently request any additional orders under Rule 26(c) or Rule 16(b) and (c).
5. Any party seeking leave to amend the pleadings or add parties shall file such motion on or before May 30, 2005.
6. All fact discovery shall be completed on or before, 2005.
7. Each party may serve no more than thirty (30) non-contention

Interrogatories, including subparts.

8. Depositions of parties and third party witnesses shall be limited in number to five (5) for each side.

9. Plaintiff shall disclose the identities of any expert witnesses and, for each such witness produce a written report as required by Rule 26(2)(B) of the Federal Rules of Civil Procedure, on or before March 1, 2005.

Defendant shall disclose the identities of any expert witnesses and, for each such witness, produce a written report as required by Rule 26(2)(B) of the Federal Rules of Civil Procedure, on or May 15, 2005.

All expert discovery shall be completed on or before June 15, 2005.

10. Dispositive motions shall be filed on or before July 1, 2005, 2005.

11. A pre-trial conference date and a trial date shall be set by the Court after the close of discovery and after all dispositive motions have been decided

Respectfully submitted,

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